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10/527,536	10/03/2005	Ismael Gracia Bobed	2002P01188WOUS	5726

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BSH HOME APPLIANCES CORPORATION  
INTELLECTUAL PROPERTY DEPARTMENT  
100 BOSCH BOULEVARD  
NEW BERN, NC 28562

EXAMINER
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CASTELLANO, STEPHEN J

ART UNIT	PAPER NUMBER
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3781

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/527,536	<b>Applicant(s)</b> BOBED, ISMAEL GRACIA	
	<b>Examiner</b> /Stephen J. Castellano/	<b>Art Unit</b> 3781	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 13, 19-21, 23-28 and 31-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13, 19-21, 23, 25-28, 31-34 and 39-40 is/are rejected.
- 7) ☒ Claim(s) 24 and 31-40 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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Claims 1-12, 14-18, 22, 29-30 have been canceled. Claims 13, 19-21, 23-28 and 31-40 are pending.

Claims 31-40 are objected to because of the following informalities: Claim 31, line 7 states an interim portion. The term "interim" is defined as an intervening time. The use of the term "interim" is awkward. Appropriate correction is required. The term "intermediate" would be more appropriate and provide a clearer meaning than "interim."

Claim 40 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 40 states that projection stops 7 limit the amount that the dowel 13 can travel such that the dowel 13 is prevented from projecting out of the pin 8. Figure 4 is inconclusive when the stops 7 are viewed in relation to the dowel 13. The specification mentions that the stops 7 contact the pin 8. There is no support for the stops 7 contacting the dowel 13. There is no support for the dowel 13 being prevented from projecting out of the pin 8 as shown in Fig. 4, the trailing end of the dowel 13 has not entered the pin 8 when the leading end of the dowel 13 is flush with the right side opening of the axial through hole 10 of the pin 8. **This is a new matter rejection.**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 13, 21, 23, 25-26, 28 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boved (EP 0789104) in view of Bertoldo (EP 0961374).

Boved discloses a container for a washing machine, the container is a lye container insofar as such is admitted by applicant in statements made on the first page of the specification, lines 31-34 with respect to Spanish patent 9600222 which EP 0789104 claims priority to the Spanish patent. The lye container has two halves and connecting means comprising pins (axial projections 7) and openings (cavities 8) at the mouths of their open base sections to produce a fixed connection, the openings are attached in radial extensions, the openings have a front and a rear section. Boved discloses the invention except or the axial through hole in the pin and the dowel that fits within the axial through hole. Bertoldo teaches a junction box having a body and lid, the body and lid have a series of connectors adjacent to the open mouths of the body and lid which include an opening in the body that receives a pin and a pin in the lid, the pin having a through hole that receives a dowel. It would have been obvious to replace the pin and opening of Boved with the pin and opening of Bertoldo which pin includes an axial through hole and a dowel to be received within the through hole.

Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boved in view of Bertoldo as applied to claim 33 above, and further in view of Pliml, Jr. (6324731) (Pliml).

The combination discloses the invention except for the portion of the axial through hole shaped like a truncated cone. Pliml teaches an axial through hole wherein the insertion end is shaped like a truncated cone. It would have been obvious to modify the dowel insertion end of Bertoldo's axial through hole to be shaped like a truncated cone to allow the dowel to be aligned

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with the through hole by the concave surfaces of the truncated cone shape to allow easy and precise positioning of the dowel before the dowel is pushed through the through hole with force.

Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boved in view of Bertoldo as applied to claim 31 above, and further in view of Morel (4276806).

The combination discloses the invention except for the insertion stop. Morel teaches an insertion stop for a pin (see Fig. 2-4, the insertion stop is the ledge formed between recess 15 and opening 14), the stop prevents the pin from being backed-out of the opening once the lugs 11 are engaged within the recess 15. It would have been obvious to add the stop to prevent the pin from inadvertently being backed-out of opening to provide a secure connection even when the parts being connected are subjected to vibration and movement the connection will hold fast.

Claims 19, 20 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boved in view of Bertoldo as applied to claims 12 and 23 above, and further in view of Iguchi (4874276).

Re claims 19 and 27, the combination discloses the invention except for the fixing ribs. Iguchi teaches fixing ribs 13 on a dowel (see Fig. 13 of Iguchi). It would have been obvious to add the fixing ribs to provide a more secure hold for the dowel within the through hole of the pin to prevent the dowel from inadvertently being backed-out of the hole to provide a secure connection even when the parts being connected are subjected to vibration and movement the connection will hold fast.

Re claim 20, the combination discloses the invention except for the entry section of the axial opening of the pin having a diameter larger than that of the dowel. Figures 4-12 of Iguchi teach an entry section of larger diameter than the dowel. It would have been obvious to modify

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the entry section of Bertoldo's pin axial hole to have a larger diameter than the dowel so that it is easier to align the dowel with the axial hole before applying an insertion force to insert the dowel within the pin axial hole.

Claims 24 and 35-38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, claims 35-38 have been objected to previously for awkward language.

Claim 40 has not been rejected by a prior art rejection. No art rejection would be made to claim 40 if the new matter rejection is not sustained. Claim 40 is not allowable.

The examiner proposed an examiner's amendment to place the limitations of allowable claim 24 within independent claim 23 and also to place the limitations of claim 37 within independent claim 31. Applicant's representative, John Eisenhart, rejected the examiner's amendment on July 20, 2009.

Applicant's arguments filed April 17, 2009 have been fully considered but they are not persuasive. Applicant submits that the connection made by Bertoldo doesn't provide a great deal of securing force. Applicant also states that the present invention's lye container requires a water-tight connection and implies that Bertoldo's connection wouldn't provide sufficient force required of a water-tight connection. Applicant is invited to read col. 2, lines 36-48 of Bertoldo regarding an alternate form of closure having a liquid-tight connection. Applicant is required to provide reasoning to substantiate his "not water-tight" remark when read in light of this portion of Bertoldo's specification. Applicant is invited to read paragraph [0012] of Bertoldo's specification with particular attention to locked nature of the cover, the guaranteed fastening

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force which can't be overcome by a traction force (force applied to separate cover from body) and the irreversible nature of the fixing of the cover to the body. Applicant is required to provide reasoning to substantiate his "not sufficient force" remark when read in light of this portion of Bertoldo's specification.

Re claim 21, Bertoldo disclose concentric protective portion 70 that protects the dowel.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to /Stephen J. Castellano/ whose telephone number is 571-272-4535. The examiner can normally be reached on increased flexibility plan (IFP).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony D. Stashick can be reached on 571-272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen J. Castellano/  
Primary Examiner  
Art Unit 3781

sjc